The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Beth O'Quin.

DIGEST 2022 Regular Session

Henry

<u>Proposed law</u> requires that if the governor declares a state of emergency, insurers writing property insurance coverage for property located in this state, and the insured files an insurance claim for property that is uninhabitable and that is located in the geographic area of the named storm or windstorm that is subject of the declared state of emergency, the term uninhabitable shall be defined as follows:

- (1) The structure is unstable and is at risk of collapse in whole or in part.
- (2) The structure has exterior damages or structural damages that allow elemental intrusions, including but not limited to rain, wind, hail, or mold.
- (3) The property is located near an immediate safety hazard like debris or downed electrical lines that have not been cleared.
- (4) The property is without electricity, natural gas services, sewer services, or water for a period of seventy-two hours, or the destination is inaccessible, the property is considered not fit to live in, or not fit for its normal use until that time the water, electricity, sewage services, or natural gas services have been restored, or the destination is accessible.

<u>Proposed law</u> does not apply to commercial insurance policies.

Effective January 1, 2023.

(Adds R.S. 22:1331.1)

SB 231 Original